

APPEAL NO. 011582
FILED AUGUST 16, 2001

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). Following a contested case hearing held on June 18, 2001, the hearing officer determined that the respondent (claimant) sustained a compensable occupational disease of silicosis, and that the date of injury was _____. The appellant (carrier) has requested our review and asserts that these determinations are against the great weight of the evidence. The claimant's response urges the sufficiency of the evidence to support an affirmance.

DECISION

Reversed and remanded.

This case is remanded for the sole purpose of compliance with House Bill 2600 amending Section 410.164, effective June 17, 2001. Section 410.164 was amended by the addition of subsection (c), which provides as follows:

- (c) At each [hearing], as applicable, the insurance carrier shall file with the hearing officer and shall deliver to the claimant a single document stating the true corporate name of the insurance carrier and the name and address of the insurance carrier's registered agent for service of process. The document is part of the record of the [hearing].

The procedure for implementing the statutory amendment is contained in the June 19, 2001, Texas Workers' Compensation Commission (Commission) Memorandum to hearing officers entitled "Required Insurance Carrier Information." A rehearing on remand is required to obtain this information and admit it into the hearing record.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a

request for review not later than 15 days after the date on which such new decision is received from the Commission's Division of Hearings, pursuant to Section 410.202 (amended June 17, 2001).

Philip F. O'Neill
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge